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FEB 25 2002

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Mr. William Caton  
Acting Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

**RE:** Notice of *Ex Parte* Presentation

- Biennial Regulatory Review – Part 90, Private Land Mobile Radio Services, WT Docket No. 98-182
- Implementation of Sections 309(j) and 337 of the Communications Act of 1934, As Amended, WT Docket 99-87

Dear Mr. Caton:

The American Automobile Association ("AAA") made an *ex parte* presentation today with respect to the above-referenced proceedings. We met with Paul Margie, legal advisor to FCC Commissioner Copps. In addition to my colleague Michele Farquhar and me, AAA was represented by Kathleen Marvaso, Director of Government Affairs.

The purpose of the meeting was to introduce AAA and to discuss issues related to the proceedings listed above. We distributed a pamphlet containing general information on AAA, AAA filings in connection with the referenced proceedings (previously submitted for the respective dockets), and the attached handout. In addition to setting forth AAA's positions in connection with the above-referenced proceedings, the handout discusses AAA's service offerings, its use of private wireless spectrum, and potential contributions that AAA could make with respect to the Commission's agenda.

Pursuant to Section 1.1206(b)(1) of the Commission's rules, I am filing one original (with attachments) and four copies (with attachments) of this notice. In addition, I am sending one copy of this notice to Mr. Margie. Please contact me with any additional questions.

Respectfully submitted,



Angela E. Giancarlo  
Counsel for American Automobile Association

Attachments  
cc: Paul Margie

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LIST A B C D E

# American Automobile Association

FCC Meetings

*February 2002*

## Introduction and Background

### AAA's Services

- AAA, a not-for-profit federation of over 70 motorist clubs in the U.S., is celebrating its 100th Anniversary this year.
- AAA has a long history of working closely with federal, state, and local governments and agencies for the benefit of the American motorist.
- AAA's service vehicles have provided invaluable assistance to motorists since 1915. AAA handles 29 million calls for assistance annually.

# Introduction and Background

## AAA's Services

*continued*

- Today, through development of a state-of-the-art telematics system, AAA is striving to provide members with access to emergency road services, information, and security wherever and whenever they need it.

## AAA is a Private Wireless Spectrum Licensee and User

- Both Congress and the Commission have recognized AAA's role as a quasi-public safety provider due to its provision of emergency road services and the important public safety function it provides.
- AAA uses private radio spectrum to stay in constant contact with its service vehicles around the country - vital to its critical role.
- AAA is a frequency coordinator for the Automobile Emergency Radio Service ("AERS") frequencies.

## AAA's Request in Connection with the Part 90 Biennial Review Proceeding

- Background. The current Part 90 rules designate 30 frequencies for shore-to-vessel communications (the “Dockside channels”). In July 2000, the Commission permitted use of these channels for low power voice and non-voice operation for both cargo handling purposes and non-cargo operations. In connection with that ruling, the Commission has sought further comment on AAA’s proposal to eliminate the power restriction for eight of the frequencies and make AAA the sole coordinator of these frequencies.

## AAA's Request in Connection with the Part 90 Biennial Review Proceeding

*continued*

- AAA's Request (FNPRM Proposal):
  - (1) Removal of the 2-watt power restriction on eight of the 30 Dockside channels (to permit pairing these channels with AERS channels); and
  - (2) Designation of AAA as the frequency coordinator only for those situations where AERS and high power Dockside channels are paired.

## AAA's Request in Connection with the Part 90 Biennial Review Proceeding

*continued*

- AAA has worked closely with industry and the Bureau staff over the past 14 months to refine and more narrowly-tailor its position (to designate AAA as the frequency coordinator where AERS and high power dockside channels are paired).
- Public Interest Benefits. Granting AAA's request will service the public interest in three important ways:
  - (1) more efficient use of AERS spectrum;
  - (2) protection of existing AERS channels; and
  - (3) allow all Industrial/Business Pool users to benefit from the expanded ability to use and pair the eight Dockside channels.



## AAA's Petition for Reconsideration or Clarification Auction Exemption Pursuant to Section 309(j)

- AAA has asked the Commission to clarify that Section 309(j)(2)(A) exempts classes of users, rather than only certain blocks of spectrum, from auction.
- The Commission should effectuate congressional intent by confirming that AAA and all private radio spectrum users that fall within the congressional exemption are auction-exempt, regardless of the spectrum band or bands they use to provide their critical services.

## AAA's Potential Contributions to the Commission's Agenda

- In its role as a quasi-public safety entity, AAA is actively engaged on many issues of interest to the Commission -- public safety and security issues, telematics, and E-911 implementation.
- AAA stands ready to provide input and share our expertise as part of the Commission's ongoing effort to educate its staff.